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April 25, 2025

VIA CM/ECF

Hon. Denise L. Cote  
United States District Court  
Southern District of New York  
500 Pearl St, Room 1910  
New York, New York 10007

Re: Tiffany Maintenance Co. v. Salvatore Gigante et al. 24-cv-147-DLC

Dear Judge Cote:

We represent Plaintiff Tiffany Maintenance Co. in the above-referenced matter. I write on behalf of all parties to request that the Court amend its order of April 18, 2025 [Dkt. No. 73] to refer this matter to the SDNY Mediation Program in lieu of mediation before the magistrate judge.


The parties have appeared twice before the magistrate judge for settlement conferences, and have made progress with her assistance. However, at this juncture, the parties believe that devoting their time and resources to a full-day mediation with either a panel or private mediator will be more likely to achieve a final resolution of this matter.

In 2023, a company affiliated with Plaintiff (and under common ownership with it) sued Defendant Gigante in this Court. (*Fox River Properties, Inc. v. Salvatore Gigante*, 23-cv-1349-JPO). Judge Oetken referred that action to the SDNY Mediation Program and the assigned mediator, Anthony Paccione, was able to bring the parties to an amicable solution of that dispute in early 2024. The counsel representing Plaintiff and Mr. Gigante in this action also represented Plaintiff and Mr. Gigante in the Fox River action. We are both of the opinion that Mr. Paccione's involvement was instrumental in reaching a resolution of that matter.

According, we request that the Court refer this matter to the Mediation Program. Ideally, if Mr. Paccione is available, he could act as the mediator as he is already familiar with much of the history between these parties.

Granted. A referral  
will be made to Mediation  
Denise Cote

Sincerely,

  
Paul S. Hugel

cc: All counsel (via ECF) 4/25/25